

Executive Registry

77-2108/1

OGC 77-5683

6 September 1977

MEMORANDUM FOR: Executive Secretary

FROM :

[Redacted]

Office of General Counsel

SUBJECT : Proposed Executive Order -- "Permitting Students
Completing Approved Career-Related Work-Study
Programs to be Appointed to Career or Career-
Conditional Positions in the Competitive Service"

1. This is in response to your request of 22 August 1977 for comments by the Office of General Counsel concerning the proposed Executive order. The proposed Executive order authorizes the placement into the competitive service of students appointed to the excepted service under Schedule B, with the Order's provisions to be implemented by Civil Service Commission regulation.

2. After a careful review of the proposed Executive order, in coordination with the Review Staff of the Office of Personnel, it is the opinion of this Office that the Order will have no impact upon CIA personnel practices and programs.

3. If I can be of any further assistance, please feel free to contact me.

[Redacted]

(EXECUTIVE REGISTRY FILE

OMB

179-2108



GENERAL COUNSEL

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

OGC 77-5360
8-22-77

August 19, 1977

Honorable Stansfield Turner
Director
Central Intelligence Agency
Washington, D. C. 20505

Dear Mr. Turner:

Herewith, in accordance with the provisions of Executive Order No. 11030, as amended, is a proposed Executive order entitled "Permitting Students Completing Approved Career-Related Work-Study Programs to be Appointed to Career or Career-Conditional Positions in the Competitive Service."

This proposed order, along with the enclosed transmittal letter, was submitted by the United States Civil Service Commission.

On behalf of the Director of the Office of Management and Budget, I would appreciate receiving your comments concerning this proposed Executive order. Comments or inquiries may be submitted by telephone to Mr. Ronald A. Kienlen or Mr. Steven D. Needle of this office (395-5600; IDS 103-5600). I will assume that you have no objection to the issuance of this proposed order if your comments have not been received by Friday, September 9, 1977.

Sincerely,

William M. Nichols
William M. Nichols
General Counsel

Enclosure



CHAIRMAN

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UNITED STATES CIVIL SERVICE COMMISSION

WASHINGTON, D.C. 20415

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OFFICE OF
MANAGEMENT & BUDGET

Honorable Bert Lance
Director
Office of Management and Budget
Washington, D. C. 20503

Dear Bert:

Attached for your consideration is a proposed Executive order which provides authority to the Civil Service Commission to approve non-competitive conversion to the competitive service of persons serving under excepted appointments in work-study programs. This would enable the Civil Service Commission to provide coverage for existing as well as future programs of this type without requiring a separate Executive order for each.

The Civil Service Commission is committed to the dual objectives of improving the Federal career entry system and enhancing the overall quality of the Federal work force. Toward those objectives, we have recently approved a proposal to establish a Graduate Level Work Experience Program. This program was developed with extensive consultation between the Commission, Federal agencies, and universities. Background materials on the program are enclosed.

Concurrently, we have a number of other proposals for similar education and work experience opportunities for persons pursuing career-oriented education programs at other levels, such as two-year college programs in health sciences and other technical fields. Because of the trend toward closer relationships between Federal agencies and educational institutions, and because of the value of education and work experience programs to the Government, the schools, and the participants, we are most interested in being able to move ahead with the appropriate implementation of such programs as they continue to develop.

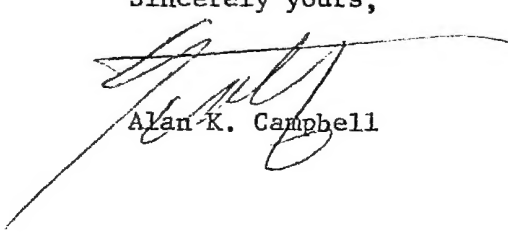
Essential to the success of these programs is the provision for agencies to effect, at their option, non-competitive conversions (from excepted to career-conditional appointments) for program participants upon successful completion of all program requirements, educational and experiential. Such conversion authority would be consistent with that presently provided, under Executive Order 11813, for persons who have successfully completed cooperative education programs at the baccalaureate level.

2

The Executive order we are recommending would provide sufficient authority to the Commission to incorporate the non-competitive conversion provision, where we are convinced it is desirable, appropriate, and in the Government's interest, into selected work-study programs without obtaining in each instance a separate Executive order.

As with the Executive order for the Presidential Management Intern Program, which the President will sign at a public ceremony on August 25 (I hope you will attend), this order is another part of our effort to attract to the Federal service the very best talent possible. When coupled with the other reforms we will recommend through the Federal Personnel Management Project, I believe we are well started on a program which will contribute substantially to an overall improvement in the Federal personnel system. I, therefore, urge your favorable consideration of this part of that total program.

Sincerely yours,



Alan K. Campbell

Enclosure

Purpose

Benefits student/university by enriching educational process. Helps students in selecting career. Agency gains services during program plus source of quality staffing upon graduation.

Coverage

Program would cover all college entry-level occupations leading to careers in the general field of administration and management, in accounting, in engineering, and in the physical and life sciences. Agencies would also be able to request inclusion of additional occupations by showing a direct relationship between the proposed work assignment and a specific field of study.

Agency Authority to Employ Under this Program

At least during the initial stages, agencies will be required to obtain prior CSC approval to employ persons under this program. Agencies will be required to identify occupations and geographical locations of positions they plan to fill.

Eligibility Requirements for Initial Appointment

Candidates must have completed all requirements for an undergraduate degree and must have been accepted as a full-time graduate student in a field of study directly related to the duties of a position for which they are being considered. In addition, candidates must meet the full qualification requirements (including any written test eligibility) for the position. Since PACE eligibility may be claimed on the basis of outstanding scholarship, a requirement for minimum eligibility when appropriate to the occupation is not a major EEO barrier. Candidates meeting the outstanding scholar provisions under PACE need not take the written test to be eligible for this program. Initial work assignment under the program would be at GS-5 or GS-7.

Academic Credit for Work Experiences

University graduate programs would have to require or credit work experience. While some colleges and universities may be reluctant to modify their graduate programs to meet this requirement, we believe it would benefit the program by helping assure that agencies provide challenging assignments related to the field of study of each participant.

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(Almost all the schools belonging to NASRA either require an internship or give credit for related work experience. The more significant exceptions are: (1) Northeastern, (2) Harvard, (3) Baruch College, CUNY, (4) Ohio State University, and (5) University of Virginia.)

Appointing Authority

Appointments will be made under a Schedule B excepted authority.

Making Initial Appointments Under this Authority

Agencies would be fully responsible for recruitment, eligibility determinations, and selection under this program. For occupations which require PACE eligibility, agency-recruited candidates will be tested either during regularly scheduled competitive examinations, or in non-competitive exams conducted by agencies. Special examination arrangements may also be worked out with the appropriate CSC office when it is infeasible for an agency to conduct the testing. In non-PACE occupations, the hiring agency would be required to assure and document that qualification requirements are met.

Requirements for Conversion to Career-Conditional Appointments

To be converted to a career-conditional appointment candidates must receive their masters degree within 30 months from the date of their graduate school matriculation and must have worked a total of at least 16 weeks during the time they were serving under this program. Persons who fail to meet these requirements must be separated from their appointment under the excepted authority. Agencies are responsible for assuring that all requirements for conversion are met. Persons may be converted at any grade level for which qualified and eligible. The conversion must take place within 120 days after the date the masters degree is received.

CSC Monitoring of the Program

Agencies will be required to periodically report appointments and conversions under the terms of this program. Auditing of individual actions will be done on a sample basis as a part of regular CSC personnel management reviews.

Other Details to be Worked Out

Once the general approach has been approved, we will issue detailed guidance to agencies on the use of the authority and include information on such things as employee benefits, acceptability of part-time experience, promotions during the program, and so forth.

PERMITTING STUDENTS COMPLETING APPROVED CAREER-RELATED
WORK-STUDY PROGRAMS TO BE APPOINTED TO CAREER OR
CAREER-CONDITIONAL POSITIONS IN THE COMPETITIVE SERVICE

By virtue of the authority vested in me by sections 1301 and 3301 of title 5, of the United States Code, and as President of the United States, it is hereby ordered as follows:

Section 1. As used in this order, "career-related work-study programs" are those which provide for a formally arranged schedule of periods of attendance at an accredited school combined with periods of career-related work-study assignments in a Federal agency under a Schedule B appointment.

Section 2. The appointment of a student pursuant to this order under Schedule B of the Civil Service Commission's rules may be converted noncompetitively to a career or career-conditional appointment if the student:

(1) has completed within the preceding 120 days an educational program that meets the provisions established by the Civil Service Commission;

(2) has satisfied all course requirements leading to completion of the appropriate related curriculum at an accredited school;

(3) is recommended for such an appointment by the employing agency in which the career-related work-study assignments were performed; and,

(4) satisfies all other requirements and conditions prescribed by the U. S. Civil Service Commission for career or career-conditional appointment.

Section 3. The Civil Service Commission shall prescribe such regulations as deemed necessary to carry out provisions of this order and to provide for the continuation of planning, implementation and evaluation of employment programs for students throughout the Government. These regulations shall provide for the periodic evaluation of the work of each student and shall require that each student's continuation in the program be dependent upon a finding of satisfactory performance.

Section 4. Executive order No. 11813 of October 7, 1974, is hereby revoked.

Section 5. This order shall become effective immediately.

JIMMY CARTER

THE WHITE HOUSE

Date _____

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EXECUTIVE SECRETARIAT

Routing Slip

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Remarks:

*For direct response. Pls
 coordinate as appropriate
 w/ DDA.*

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